

Notice of Allowability

Application No.

10/756,589

Examiner

Brian Ensey

Applicant(s)

VAN BANNING ET AL.

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2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated 7/26/07.
2. ☒ The allowed claim(s) is/are 14-16, 18, 26-29 renumbered 1-8.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

The following is an examiner's statement of reasons for allowance: The present invention is directed to a receiver for a listening device. Independent claim 14 identifies the uniquely distinct feature of a bobbin including an armature-mounting structure configured to interlock with a fixed portion of the armature such that the moveable portion of the armature is substantially centered in the passage of the coil and magnet assembly in combination with all the disclosed limitations of claim 14. Independent claim 26 identifies the uniquely distinct feature of a bobbin including an armature-centering structure configured to interlock with a fixed portion of the armature such that the moveable portion of the armature is substantially centered in the passage of the coil and magnet assembly in combination with all the disclosed limitations of claim 18. Independent claim 29 identifies the uniquely distinct feature of a bobbin including an armature-mounting structure including first and second flanges wherein said armature mounting structure is formed on opposing edges of the first and second flanges, each opposing edge lying in a plane perpendicular to a plane of said armature in combination with all the disclosed limitations of claim 29. The closest prior art, Imahori (US 6853735) teaches an armature mounting structure for a bobbin for centering the armature within the bobbin but fails to teach the armature mounting/centering structure interlocks with a fixed portion of the armature the armature mounting structure is formed on opposing flanges of the bobbin in a plane perpendicular to the plane of the armature; Urushibata (US 6757403) teaches an armature mounting structure for a bobbin for centering the armature within the bobbin but fails to teach the armature mounting/centering structure interlocks with a fixed portion of the armature or the armature mounting structure is formed on opposing flanges of the bobbin in a plane

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perpendicular to the plane of the armature; Carlson (US 311563) teaches an E-shaped armature but fails to teach the armature mounting structure is formed on opposing flanges of the bobbin in a plane perpendicular to the plane of the armature; Mahoney (WO 01/69963 A2) teaches an armature mounting structure for a bobbin for centering the armature within the bobbin but fails to teach the armature mounting/centering structure interlocks with a fixed portion of the armature or the armature mounting structure is formed on opposing flanges of the bobbin in a plane perpendicular to the plane of the armature. The prior art fails to anticipate or render the independent claims obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Ensey whose telephone number is 571-272-7496. The examiner can normally be reached on Monday - Friday 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Va. 22313-1450

Or faxed to:

(571) 273-8300, for formal communications intended for entry and for informal or draft communications, please label "PROPOSED" or "DRAFT".

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Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Arlington, VA 22314

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



BRIAN ENSEY
PRIMARY EXAMINER

8/9/07